

JAN 22 2004

OFFICIAL
FAX

C O V E R

S H E E T

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TO: Christina Ildebrando
United States Patent and Trademark Office

FAX: (703) 872-9306

FROM: Scott R. Cox, Reg. No. 31,945

DATE: January 22, 2004

No. Pages (including cover): 53 (Part I)

Operator: Holly

Re: In Re appl. of: Jaussaud, Dave et. al.
Serial No.: 10/054,041 Art Unit: 1725
Filing Date: Jan. 22, 2002 Examiner: Christina Ildebrando
For: PROCESS FOR PRODUCTION OF MOLECULAR SIEVE ADSORBENT
BLENDS
Attorney Docket No.: P-1084 Confirmation No.: 1381

Attached is correspondence date January 22, 2004, along
with its enclosures.

If you should have any questions concerning this fax,
please contact me.

Scott R. Cox, Attorney

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Client: _____

Client #: 93805

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January 22, 2004

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(812) 283-7838

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: In re application of: Dave Jaussaud, et. al.
Application No. 10/054,041 Group No. 1725
Filed: January 22, 2002 Confirmation No.: 1381
For: PROCESS FOR PRODUCTION OF MOLECULAR SIEVE
ADSORBENT BLENDS
Examiner Christina A. Ildebrando
Attorney Docket No. P-1084

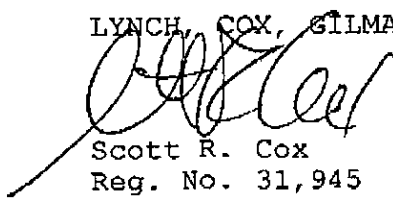
Dear Commissioner:

Pursuant to a telephone conference on January 21, 2004, with Examiner Ildebrando, I am resending to the USPTO for consideration an Information Disclosure Statement, which was originally filed on October 23, 2003, along with all foreign references cited therein. (Examiner Ildebrando stated that it was not necessary to include the U.S. references cited therein.) I also attach to this letter a copy of the front and back of the post card that was filed with the original IDS, that was stamped by the USPTO on October 27, 2003, showing that the IDS was previously received by the USPTO. Please forward this IDS with references to Examiner Ildebrando for review as soon as possible as the Issue Fee was recently paid for this application.

If you have any questions concerning this letter, please contact me.

Sincerely,

LYNCH, COX, GILMAN & MAHAN, P.S.C.



Scott R. Cox
Reg. No. 31,945

SRC:hh
Enclosures

C:\WP\COR1\F1084\ZEO03.014
93805

10/23/2003

MAIL STOP IDS
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please acknowledge receipt of the below identified:

INFORMATION DISCLOSURE STATEMENT WITH TRANSMITTAL, STATEMENT AND
REFERENCES CITED with payment by check \$170.00

RE: Janssaud, et. al.

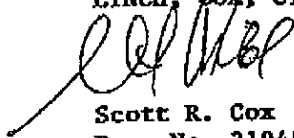
Application No.: 10/054,041

Filed: January 22, 2002

For: Process for production of molecular sieve adsorbent blends and
process for production thereof

Atty Docket No.: P-1084

Respectfully submitted,
LYNCH, COX, GILMAN & MAHAN, P.S.C.


Scott R. Cox
Reg. No. 31945

VOLUFORMS

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LOUISVILLE, KY 050

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DATE October 23, 2003PAY One hundred eighty and 00/100DOLLARS \$ 180.00THIS DOCUMENT HAS A MICRO-PRINT SIGNATURE LINE, WATERMARK AND A THERMOCHROMIC ICON; ABSENCE OF THESE FEATURES WILL INDICATE A COPY

TO
THE
ORDER
OF

Commissioner of Patents

P-1084
93805

⑈074964⑈ ⑆083000408⑆ 3095423244⑈

DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

LYNCH, COX, GILMAN & MAHAN PSC

IDS Filing Fee, as revised 10/01/2003

P-1084
93805

bsc

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application of: :
Jaussaud, et. al. :
 :
Serial No.:10/054,041 :
 : Examiner: Ildebrando,
Filing Date: January 22, 2002 : Christina A.
 :
Attorney Docket No. P-1084 :
 :
For: PROCESS FOR PRODUCTION OF
MOLECULAR SIEVE ADSORBENT
BLENDS AND PROCESS FOR
PRODUCTION THEREOF

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such. In accordance with 37 CFR §1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. This information is submitted in compliance with 37 CFR §1.98.

References:

US 5173462
US 6183539B1
EP 0826631
EP 0519073 (abstract only)
EP 0940174
WO 0001478
GB 827043
JP 5147926 (abstract only)
JP 11246214 (abstract only)
FR 2678525 (abstract only)

Respectfully submitted,

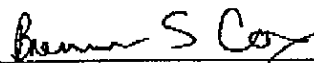


Scott R. Cox
Reg. No. 31,945
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Louisville, Kentucky 40202

CERTIFICATE OF SERVICE

I hereby certify that this Information Disclosure Statement is being deposited with the United States Postal Service in an envelope addressed to the Hon. Commissioner for Patents, Washington, D.C. 20231.

Date: 10-23-2003



:BC
Attachments

(Rev. 95-7/03 Pub. 605)

FORM 6-4

6-45

Practitioner's Docket No. P-1084**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: **JAUSSAUD, et. al.**Application No: **10/054,041**

Group No.:

Filed: **January 22, 2002**Examiner: **Ildebrando, Christina A.**For: **Process for production of molecular sieve adsorbent blends
and process for production thereof**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING DATE OF EITHER A FINAL ACTION
OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))**

NOTE: 37 C.F.R. 1.97: "(c) An information disclosure statement shall be considered by the Office if filed after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by one of:

(1) The statement specified in paragraph (e) of this section; or

(2) The fee set forth in § 1.17(p)."

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-47, 39).

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Brennan S. Cox

Signature

Date: 10-23-03Brennan S. Cox

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance [6-4]—page 1 of 3)

NOTE: 37 C.F.R. § 1.704(d): "A paper containing only an information disclosure statement in compliance with §§ 1.97 and 1.98 will not be considered a failure to engage in reasonable efforts to conclude prosecution (processing or examination) of the application under paragraphs (c)(8), (c)(9), (c)(10), or (c)(11) of this section if it is accompanied by a statement that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the information disclosure statement. This thirty-day period is not extendable."

NOTE: "If information submitted during the period set forth in 37 C.F.R. 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, if the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(e). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 C.F.R. § 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

WARNING: No extension of time can be had under 37 C.F.R. 1.136 (a) or (b) for filing an IDS. 37 C.F.R. 1.97(f).

TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

1. The information disclosure statement transmitted herewith is being filed **after** three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:

- (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311,
- whichever occurs first.

STATEMENT OR FEE

2. Accompanying this transmittal is

(check either A or B below)

- A. ☐ a statement as specified in 37 C.F.R. § 1.97(e).

OR

- B. ☒ the fee set forth in 37 C.F.R. § 1.17(p) for submission of an Information disclosure statement under § 1.97(c). (\$240.00).

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance [5-4]—page 2 of 3)

(Ref. 95-7/03 Pub. 605)

FORM 6-4

6-17

FEE PAYMENT*(complete this item, if applicable)*

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c) (~~\$240.00~~) 190.00

Fee due \$ 190.00**METHOD OF PAYMENT OF FEE**

4.

- ☒ Attached is a ☒ check ☐ money order in the amount of \$ 190.00
☐ Authorization is hereby made to charge the amount of \$ _____
☐ to Deposit Account No. _____
☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should *not* be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

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Customer No.:


SIGNATURE OF PRACTITIONERScott R. Cox*(type or print name of practitioner)*400 West Market Street, Suite 2200

P.O. Address

Louisville, Kentucky 40202

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance [6-4]—page 3 of 3)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Number	10/054,041
Filing Date	January 22, 2002
First Named Inventor	Jaussaud
Art Unit	1728
Examiner Name	Ildabrando, C.A.
Attorney Docket Number	P-1084

PAGE 10/53 * RCVD AT 1/22/2004 11:17:05 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:502 589 4994 * DURATION (mm-ss):10-00

PTO/SB/OSA (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1442/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	2	of	2
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Complete if Known

Application Number	10/054,041
Filing Date	January 22, 2002
First Named Inventor	Jaussaud
Art Unit	1728
Examiner Name	Idebrando, C.A.
Attorney Docket Number	P-1084

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ³ Number* Kind Code ⁴ (if known)	MM-DD-YYYY		
		EP0519073 (abstract)	12-23-1992	MOURI, Motoya	
		EP0940174	03-03-1999	HIRANO, Shigeru	

**Examiner
Signature**

Date	
Considered	

*EXAMINER: (initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.58. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Alexandria, VA 22313-1450

10/23/2003
O I P E 3070
EX 1738
RECEIVED

Sir:
Please acknowledge receipt of the below information:

INFORMATION DISCLOSURE STATEMENT WITH TRANSMITTAL, STATEMENT AND REFERENCES CITED with payment by check (\$70.00)

RE: Jansoud, et. al.
Application No.: 10/056,041
Filed: January 22, 2002
For: Process for production of molecular sieve adsorbent blends and process for production thereof
Atty Docket No.: P-1084

Respectfully submitted,
LYNCH COX, GILMAN & NEMAN, P.S.C.
[Signature]
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